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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 1507/2016

BHARAT HEAVY ELECTRICALS LIMITED Plaintiff
Through: Mr. Parag Tripathi, Sr. Adv. with Mr.
Atul Shanker Mathur and Ms. Sweta
Singh, Advs.

Versus

PUBLIC ELECTRICITY CORPORATION & ORS Defendants
Through: Mr. C.A. Sinha, Mr. M. Naseem and
Mr. Dhiraj Philip, Advs. for D-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **31.05.2017**

**IA No.7069/2017 (of plaintiff for clarification of order dated 20th
December, 2016)**

1. It is the grievance of the applicant/plaintiff in this disposed of suit that the defendant No.3 Deutsche Bank AG is continuing to demand from the applicant/plaintiff the charges for keeping the counter guarantee alive.
2. The counsel for the defendant No.3 Deutsche Bank AG appears on advance notice.
3. Need to issue notice to the other defendants is not felt owing to the said defendants being *ex-parte* earlier and also for the reason of this application being concerned with the defendant No.3 Deutsche Bank AG only.

4. Even though I am of the opinion that the application can be disposed of today itself and it appears that once the interest of the defendant No.3 Deutsche Bank AG has been sufficiently protected by the orders of the Court, there is no justification for the defendant No.3 Deutsche Bank AG to demand the charges, but the counsel for the defendant No.3 Deutsche Bank AG insists upon filing reply.
5. Reply be filed on or before 4th July, 2017.
6. Rejoinder thereto, if any be filed before the next date of hearing.
7. List on 10th July, 2017.

RAJIV SAHAI ENDLAW, J.

MAY 31, 2017

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